



Atty. Dkt. No. 061270-0913

*Handwritten initials and signature*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jeff G. GREGER et al.

Title: OPEN TOP SWING

Appl. No.: 10/804,226

Filing Date: 3/19/2004

Examiner: Kien T. Nguyen

Art Unit: 3714

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated June 29, 2005, finally rejecting Claims 1-27.

☐ Applicant claims small entity status.

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ Notice of Appeal Fee

☒ To be paid as detailed below

☐ Not required (Fee paid in prior appeal)

12/29/2005 JADD01 00000015 10004226

01 FC:1401  
02 FC:1253

500.00 OP  
900.00 OP

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00
<input checked="" type="checkbox"/>	Extension Already Obtained for first month:	\$120.00
	FEE TOTAL:	\$1,400.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$1,400.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$1,400.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1,400.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 28, 2005

By Mary Michelle Kile

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5428  
Facsimile: (202) 672-5399

Mary Michelle Kile  
Attorney for Applicant  
Registration No. 35,217